

Remarks

1. Claims 1 and 3-9 are pending. By this Amendment, claim 2 is canceled and claims 1 and 9 are amended.

Claim 1 is amended to recite the limitations of canceled claim 2 as well as additional limitations supported at, e.g., page 5 beginning at paragraph 11, page 9 beginning at paragraph 21, page 13 beginning at paragraph 35 and Figures 4(A) - 4(C), 5, 6(A), and 6(B).

The amendment to claim 9 is supported at page 5 beginning at paragraph 9, page 8 beginning at paragraph 19, page 12 beginning at paragraph 30, and Figures 1(A)-1(C), 2, 3(A), and 3(B).

In view of the foregoing amendments to the claims, reconsideration and withdrawal of the rejection are respectfully requested.

35 U.S.C. § 102

2. Claims 1-9 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. 6,907,764 ("Ushida"). Applicant respectfully traverses this rejection. However, in order to advance the prosecution of this Application, claims 1 and 9 are amended.

Applicant first notes that the abstract has been improperly referenced as anticipating the rejected claims.¹ To this end and if the rejection is maintained, the Examiner is

¹ MPEP § 706.02 (II) ("When an abstract is used to support a rejection, the evidence relied upon is the facts contained in the abstract, not additional facts that may be contained in the underlying full text document. Citation of and reliance upon an abstract without citation of and reliance upon the underlying scientific document is generally inappropriate where both the abstract and the underlying document are prior art.... In re Jones, 62 USPQ2d 1206 1208-1209 (Bd. Pat. App. & Interf. 2001) ("The use of abstracts, when the underlying document is prior art, gives us considerable pause.... One continuing recurring problem is the citation and reliance by examiners on abstracts, without citation and reliance on the underlying scientific document.... Citation of an abstract without citation and reliance on the underlying scientific document itself

respectfully requested to cite supporting portions of the specification from Ushida, rather than the abstract thereof.

The method defined in claim 1 includes the step of "reverse squeezing the initial peripheral portion of the initial article as a preliminary processing, to thereby form the first intermediate article." Also, the reverse squeezing step is performed in a direction opposite the direction of the squeezing step. In the reverse squeezing step, the initial peripheral portion of the initial article is compressed in a direction of thickness of the article to thereby form an inclined surface in the first intermediate peripheral portion so that the first intermediate peripheral portion partly has opposite surfaces of differing areas.

By contrast, the method of Ushida does not include the reverse squeezing step now recited in claim 1 as a preliminary processing. That is, in the method of Ushida, unlike the claimed invention, the initial peripheral portion of the initial article is directly squeezed without the preliminary processing.

Thus, the present method has a special step, which is not taught or suggested by Ushida. Therefore, it is submitted that the method of the claimed invention is structurally different from the method of Ushida.

Regarding claim 9, the Applicant respectfully submits that half die cutting a blank sheet to form the initial article is neither disclosed nor suggested. Hence, claim 9 as amended is not anticipated by Ushida as well.

is generally inappropriate where both the abstract and the underlying document are prior art. Abstracts often are not written by the author of the underlying document and may be erroneous. It is our opinion that a proper examination under 37 CFR § 1.104 should be based on the underlying documents and translations, where needed. Accordingly, the preferred practice is for the examiner to cite and rely on the underlying document.").

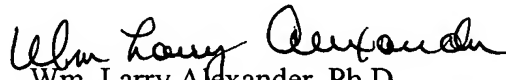
For reasons stated above, Applicant respectfully submits that claims 1 and 9 are not anticipated by Ushida. The other rejected claims depend directly or indirectly from claim 1. Hence, the other rejected claims are not anticipated as well.

In view of the amendments to the claims, reconsideration and withdrawal of the rejection is respectfully requested.

Conclusion

3. In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested. The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,


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